

CHAPTER NO. 407**HOUSE BILL NO. 1958****By Representatives Vaughn, Bowers****Substituted for: Senate Bill No. 1899****By Senator Dixon**

AN ACT to amend Tennessee Code Annotated, Title 56, relative to medication counseling.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 56, Chapter 7, Part 23, is amended by adding the following as a new, appropriately designated section:

Section 56-7-2363.

(a) Notwithstanding any other provision of the law to the contrary, any insurer providing individual, franchise, blanket or group policy of insurance issued pursuant to this title, medical service plan, contract, hospital service corporation contract, hospital and medical service corporation contract, fraternal benefit society, health maintenance organization, preferred provider organization or managed care organization, which provides hospital expense and surgical or medical expense insurance or which is entered into, delivered, issued for delivery or renewed in Tennessee after January 1, 2004, may offer to provide reimbursement coverage for medication counseling the insured receives from a pharmacist pursuant to this section.

(b) An insured who is prescribed and uses six (6) or more types of medication may be entitled to receive two (2) medication counseling sessions during the first year the patient begins such sessions, with a doctor of pharmacy licensed in accordance with title 63, chapter 10, part 4, who has received additional clinical training in the areas of medication management and counseling. The goal of such counseling shall be to reduce the number of unnecessary medications for patients and to reduce the incidence of negative interactions among various medications a patient may be taking. The first medication counseling session shall consist of the following:

- (1) An examination of the patient's medical history;
- (2) An evaluation of the number and types of medications the patient uses (including over-the-counter medications);
- (3) A determination of the types of interactions among the medications;
- (4) A recommended medication therapy and thorough analysis of the benefit of the medication therapy;

(5) An evaluation of the cost savings gained as a result of any changes made to the prescribed course of medication; and

(6) A summary of expected outcomes and proposed follow-up examination dates.

A report and recommendation from the first counseling session shall be forwarded to the prescribing physician or physicians for review. The physician may implement the recommendations or may disapprove the recommendations.

The second medication counseling session shall be a follow-up session during which the patient's response to the medication therapy will be monitored.

(c) Both the first and second counseling sessions during the first year may be reimbursable through the patient's insurance coverage. The patient or the pharmacist may request an additional counseling session upon providing verification to the insurer that the patient has developed a change in the patient's medical condition.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 29, 2003


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES


JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 23rd day of June 2003


PHIL BREDESEN, GOVERNOR